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SENATE BILL 529

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Nancy Rodriguez

AN ACT

RELATING TO INSURANCE; REQUIRING INSURANCE COVERAGE FOR HEARING AIDS FOR ELIGIBLE CHILDREN.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Health Care Purchasing Act is enacted to read:

"~~[NEW MATERIAL]~~ HEARING AID COVERAGE FOR CHILDREN REQUIRED.--

A. Group health care coverage, including any form of self-insurance, offered, issued or renewed under the Health Care Purchasing Act shall provide coverage for a hearing aid and any related service for the full cost of one hearing aid per hearing-impaired ear up to two thousand two hundred dollars (\$2,200) every thirty-six months for hearing aids for insured children under eighteen years of age or under twenty-one years

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[bracketed material] = delete

1 of age if still attending high school. The insured may choose
2 a higher priced hearing aid and may pay the difference in cost
3 above the two-thousand-two-hundred-dollar (\$2,200) limit as
4 provided in this subsection without financial or contractual
5 penalty to the insured or to the provider of the hearing aids.

6 B. Each insurer that delivers, issues for delivery
7 or renews under the Health Care Purchasing Act any group health
8 care coverage, including any form of self-insurance, shall make
9 available to the policyholder the option of purchasing
10 additional hearing aid coverage that exceeds the services
11 described in this section.

12 C. Hearing aid coverage offered shall include
13 fitting and dispensing services, including providing ear molds
14 as necessary to maintain optimal fit, provided by an
15 audiologist, a hearing aid dispenser or a physician, licensed
16 in New Mexico.

17 D. The provisions of this section do not apply to
18 short-term travel, accident-only or limited or specified
19 disease policies.

20 E. Coverage for hearing aids may be subject to
21 deductibles and coinsurance consistent with those imposed on
22 other benefits under the same group health care coverage,
23 including any form of self-insurance.

24 F. For the purposes of this section, "hearing aid"
25 means durable medical equipment that is of a design and

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1 circuitry to optimize audibility and listening skills in the
2 environment commonly experienced by children."

3 Section 2. A new section of the New Mexico Insurance
4 Code, Section 59A-22-34.5 NMSA 1978, is enacted to read:

5 "59A-22-34.5. [NEW MATERIAL] HEARING AID COVERAGE FOR
6 CHILDREN REQUIRED.--

7 A. An individual or group health insurance policy,
8 health care plan or certificate of health insurance that is
9 delivered, issued for delivery or renewed in this state shall
10 provide coverage for a hearing aid and any related service for
11 the full cost of one hearing aid per hearing-impaired ear up to
12 two thousand two hundred dollars (\$2,200) every thirty-six
13 months for hearing aids for insured children under eighteen
14 years of age or under twenty-one years of age if still
15 attending high school. The insured may choose a higher priced
16 hearing aid and may pay the difference in cost above the two-
17 thousand-two-hundred-dollar (\$2,200) limit as provided in this
18 subsection without financial or contractual penalty to the
19 insured or to the provider of the hearing aid.

20 B. An insurer that delivers, issues for delivery or
21 renews in this state an individual or group health insurance
22 policy, health care plan or certificate of health insurance
23 shall make available to the policyholder the option of
24 purchasing additional hearing aid coverage that exceeds the
25 services described in this section.

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1 C. Hearing aid coverage offered shall include
2 fitting and dispensing services, including providing ear molds
3 as necessary to maintain optimal fit, provided by an
4 audiologist, a hearing aid dispenser or a physician, licensed
5 in New Mexico.

6 D. The provisions of this section do not apply to
7 short-term travel, accident-only or limited or specified
8 disease policies.

9 E. Coverage for hearing aids may be subject to
10 deductibles and coinsurance consistent with those imposed on
11 other benefits under the same policy, plan or certificate.

12 F. For the purposes of this section, "hearing aid"
13 means durable medical equipment that is of a design and
14 circuitry to optimize audibility and listening skills in the
15 environment commonly experienced by children."

16 Section 3. A new section of the New Mexico Insurance
17 Code, Section 59A-23-7.6 NMSA 1978, is enacted to read:

18 "59A-23-7.6. [NEW MATERIAL] HEARING AID COVERAGE FOR
19 CHILDREN REQUIRED.--

20 A. A blanket or group health insurance policy,
21 health care plan or certificate of health insurance that is
22 delivered, issued for delivery or renewed in this state shall
23 provide coverage for a hearing aid and any related service for
24 the full cost of one hearing aid per hearing-impaired ear up to
25 two thousand two hundred dollars (\$2,200) every thirty-six

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1 months for hearing aids for insured children under eighteen
2 years of age or under twenty-one years of age if still
3 attending high school. The insured may choose a higher priced
4 hearing aid and may pay the difference in cost above the two-
5 thousand-two-hundred-dollar (\$2,200) limit as provided in this
6 subsection without financial or contractual penalty to the
7 insured or to the provider of the hearing aid.

8 B. An insurer that delivers, issues for delivery or
9 renews in this state a blanket or group health insurance
10 policy, health care plan or certificate of health insurance
11 shall make available to the policyholder the option of
12 purchasing additional hearing aid coverage that exceeds the
13 services described in this section.

14 C. Hearing aid coverage offered shall include
15 fitting and dispensing services, including providing ear molds
16 as necessary to maintain optimal fit, provided by an
17 audiologist, a hearing aid dispenser or a physician, licensed
18 in New Mexico.

19 D. The provisions of this section do not apply to
20 short-term travel, accident-only or limited or specified
21 disease policies.

22 E. Coverage for hearing aids may be subject to
23 deductibles and coinsurance consistent with those imposed on
24 other benefits under the same policy, plan or certificate.

25 F. For the purposes of this section, "hearing aid"

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1 means durable medical equipment that is of a design and
2 circuitry to optimize audibility and listening skills in the
3 environment commonly experienced by children."

4 Section 4. A new section of the New Mexico Insurance
5 Code, Section 59A-46-38.5 NMSA 1978, is enacted to read:

6 "59A-46-38.5. [NEW MATERIAL] HEARING AID COVERAGE FOR
7 CHILDREN REQUIRED.--

8 A. An individual or group health maintenance
9 organization contract delivered, issued for delivery or renewed
10 in this state shall provide coverage for a hearing aid and any
11 related service for the full cost of one hearing aid per
12 hearing-impaired ear up to two thousand two hundred dollars
13 (\$2,200) every thirty-six months for hearing aids for insured
14 children under eighteen years of age or under twenty-one years
15 of age if still attending high school. The insured may choose
16 a higher priced hearing aid and may pay the difference in cost
17 above the two-thousand-two-hundred-dollar (\$2,200) limit as
18 provided in this subsection without financial or contractual
19 penalty to the insured or to the provider of the hearing aid.

20 B. An insurer that delivers, issues for delivery or
21 renews in this state an individual or group health maintenance
22 organization contract shall make available to the policyholder
23 the option of purchasing additional hearing aid coverage that
24 exceeds the services described in this section.

25 C. Hearing aid coverage offered shall include

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1 fitting and dispensing services, including providing ear molds
2 as necessary to maintain optimal fit, provided by an
3 audiologist, a hearing aid dispenser or a physician, licensed
4 in New Mexico.

5 D. The provisions of this section do not apply to
6 short-term travel, accident-only or limited or specified
7 disease policies.

8 E. Coverage for hearing aids may be subject to
9 deductibles and coinsurance consistent with those imposed on
10 other benefits under the same policy, plan or certificate.

11 F. For the purposes of this section, "hearing aid"
12 means durable medical equipment that is of a design and
13 circuitry to optimize audibility and listening skills in the
14 environment commonly experienced by children."

15 Section 5. A new section of the New Mexico Insurance
16 Code, Section 59A-47-37.1 NMSA 1978, is enacted to read:

17 "59A-47-37.1. [NEW MATERIAL] HEARING AID COVERAGE FOR
18 CHILDREN REQUIRED.--

19 A. An individual or group health insurance policy,
20 health care plan or certificate of health insurance delivered
21 or issued for delivery in this state shall provide coverage for
22 a hearing aid and any related service for the full cost of one
23 hearing aid per hearing-impaired ear up to two thousand two
24 hundred dollars (\$2,200) every thirty-six months for hearing
25 aids for insured children under eighteen years of age or under

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1 twenty-one years of age if still attending high school. The
2 insured may choose a higher priced hearing aid and may pay the
3 difference in cost above the two-thousand-two-hundred-dollar
4 (\$2,200) limit as provided in this subsection without financial
5 or contractual penalty to the insured or to the provider of the
6 hearing aid.

7 B. An insurer that delivers, issues for delivery or
8 renews in this state an individual or group health insurance
9 policy, health care plan or certificate of health insurance
10 shall make available to the policyholder the option of
11 purchasing additional hearing aid coverage that exceeds the
12 services described in this section.

13 C. Hearing aid coverage offered shall include
14 fitting and dispensing services, including providing ear molds
15 as necessary to maintain optimal fit, provided by an
16 audiologist, a hearing aid dispenser or a physician, licensed
17 in New Mexico.

18 D. The provisions of this section do not apply to
19 short-term travel, accident-only or limited or specified
20 disease policies.

21 E. Coverage for hearing aids may be subject to
22 deductibles and coinsurance consistent with those imposed on
23 other benefits under the same policy, plan or certificate.

24 F. For the purposes of this section, "hearing aid"
25 means durable medical equipment that is of a design and

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1 circuitry to optimize audibility and listening skills in the
2 environment commonly experienced by children."

3 Section 6. EFFECTIVE DATE.--The effective date of the
4 provisions of this act is July 1, 2007.

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